Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Respironics, Inc. Petition for Waiver	)	ET Docket No. 05-331
of Part 15 of the Commission's Rules	)	
	)	
	)	

COMMENTS OF RESPIRONICS, INC.

Respironics, Inc. ("Respironics") urges the Commission to grant the Petition for Waiver ("Petition")[1] of Part 15 of the rules with respect to its ActiReader devices, which are part of activity monitoring systems used by medical researchers and other staff.

As explained in detail in the Petition, while the ActiReader does not comply with the technical requirements of Section 15.205(a), it does not pose a risk of harmful interference to licensed or other primary services within the 90-110 kHz restricted band and, therefore, does not threaten the "primary purpose" of the Part 15 rules – *i.e.*, prevention of interference. This lack of harm, coupled with the significant public interest benefit of the important medical research being performed using the ActiReaders and the lack of adequate alternatives in the market, weighs in favor of grant of the waiver request. Grant of the waiver request would allow researchers and other medical personnel to continue to use the ActiReader devices in their research and treatment of patients while Respironics redesigns the ActiReader to be fully compliant with the letter of the Commission's rules.

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[1] Respironics, Inc., Petition for Waiver, ET Docket No. 05-331, Oct. 28, 2005.

Please do not hesitate to address any questions to the undersigned.

Respectfully submitted,

RESPIRONICS, INC.

/s/ Devendra T. Kumar
Henry Goldberg
Devendra T. Kumar
GOLDBERG, GODLES, WIENER & WRIGHT
1229 19th St., N.W.
Washington, DC 20036
(202) 429-4900 – Telephone
(202) 429-4912 – Facsimile

Counsel to Respironics, Inc.

Dated: January 4, 2006